

SINGLE BENCH

CF102

IN THE HIGH COURT OF CHHATTISGARH AT

BILASPUR (C.G.)

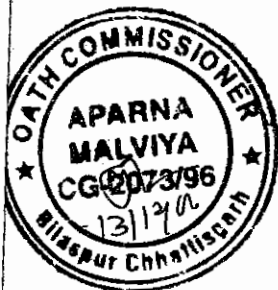
W.P. (C) 7248/2006

PETITIONER : Jageshwar aged about 38 years
Defendant S/o Tejau, R/o Village Goxinda,
Tahsil & District Raipur (C.G.)

VERSUS

RESPONDENTS
Plaintiffs

1. Dwarika Prasad, aged 55 years, S/o Devnath, R/o Village Nisda, Tahsil Aarang, Distt. Raipur (C.G.)
 - (a) Tuman Lal S/o Devnath, aged about 35 years, at present R/o Village Nisda, P.S. Aarang, Raipur (C.G.)
 - (b) Smt. Sahodra Bai W/o Lakanlal, at present R/o Village Jaroda, P.S. Aarang, Distt. Raipur (C.G.)
 - (c) Smt. Khelan Bai W/o Jagdish R/o Aarang, Tahsil & Distt. Raipur (C.G.) at present R/o Village Kirwai (Rajim) Distt. Raipur (C.G.)
 - (d) Smt. Meena Bai W/o Heeraman R/o Village Kuteri, Rajim, Distt. Raipur (C.G.)
 - (e) Smt. Kaushilya Bai W/o Baldau, R/o Village Belsoda, Mahasamund, Distt. Mahasamund (C.G.)
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2. Gulaba Bai, aged 35 years W/o Devnath (Now dead)
 3. Neera Bai, aged 35 years D/o Dayaram,



Defendant No. 1

Defendant No. 2

- (2)
(5)
- | | |
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| Defendant No. 3 | 4. Jamuna Bai, aged about 30 years, D/o Dayaram R/o Village Nisda, Tahsil & Distt. Raipur (C.G.) |
| Defendant No. 4 | 5. Ganga Bai Wd/o Punitram, aged about 62 years, |
| Defendant No. 5 | 6. Shyam S/o Punit, aged about 44 years, |
| Defendant No. 6 | 7. Durga S/o Punit 34 years, All are Major R/o Village Govinda Post Aarang, Tahsil & District Raipur (C.G.) |
| Defendant No. 7 | 8 (a) Manki Bai, aged about 66 years, W/o Tejau
(b) Bhuneshwar, aged about 42 years, S/o Tejau
(c) Tarkeshwar S/o Tejau, aged about 39 years |
| Defendant No. 8 | 9.(a) Mussamaat Nirasha, aged 66 years, Wd/o Sadashiv
(b) Mastu, aged about 43 years S/o Sadashiv
(C) Harishanker, aged 41 years, S/o Sadashiv |

All R/o Village Govinda, Tahsil & District Raipur (C.G.)

WRIT PETITION U/A 227 OF THE
CONSTITUTION OF INDIA



उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P...No. 7248/सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>15.01.2007</u> Shri L.C.Dash, counsel for the petitioner. Heard. By this petition the petitioner has impugned the order dated 30.11.2006 passed in Civil Suit No. 26-A/2006 whereby the application preferred by the petitioner for amending written statement has been rejected on the ground that the same has been preferred with an inordinate delay. Learned counsel for the petitioner submits that some part of the property in question stands transferred in the name of various other persons and they have been recorded as owner in the revenue papers and if this fact is not brought on record during trial manifest injustice may occasion. I have perused the impugned order. It is not in dispute that the suit was initially decreed by the trial Court against which the present petitioner preferred appeal and the same was allowed and the matter was remanded back to the trial Court with a direction to implead State as defendant and thereafter decide the same after hearing the respective parties and at this stage the above amendment was sought at the behest of the petitioner which has been rejected on the ground that the amendment application has been belatedly filed. Considering the reasons assigned by the Court below and further considering proviso to order 6 rule 17 of the CPC this Court is of the considered opinion that there is no jurisdictional error	

मामला क्रमांक ...*W.P.No. 7248/*सन् 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	committed by the Court below in passing the impugned order which calls for interference under Article 227 of the Constitution of India. In the result the petition is dismissed at the admission stage itself.	Sd/- Dhirendra Mishra Judge

P.T.O.

12/2/06